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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

4 MISC.CIVIL APPLICATION NO. 265 OF 2024

**SUMAIYYABANO VASIM SHAH ALIAS SUMAIYYA MUSHIR
SHAH**

....Applicant

VERSUS

VASIM RAFIQ SHAH

.....Respondent

Mr. A. S. Savale, Advocate for the applicant

Mr. G. R. Sayed, Advocate for the respondent

CORAM : KISHORE C. SANT, J.

DATE : 22nd APRIL, 2025

P. C.

1. Heard the parties for sometime.
2. This application is filed by the wife-applicant seeking transfer of the Regular Civil Suit No. 122/2023 from the court of CJJD, Nandgaon to the Family Court at Dhule.
3. It is the case of the wife that she is residing with her old aged parents at Dhule. There is no one to accompany her to

attend the proceeding at Nandgaon. The learned advocate for the applicant vehemently argued that now it is well settled that the proceedings are required to be transferred looking to the convenience of the wife.

5. The learned advocate for the respondent vehemently opposed the application.

6. Looking to the facts that the applicant is a lady staying with her old aged parents, it would be in the interest of justice to allow the application. Hence the following order:

ORDER

- i. The misc. civil application is allowed in terms of prayer clause (A).
- ii. After transfer the learned Trial Judge shall try to dispose off the proceeding as early as possible and preferably within one year from the date of transfer.
- iii. The applicant shall not seek unnecessary adjournments. In case the Trial Court find that the

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adjournments are unnecessarily sought by the applicant, the Trial Court may deal with such application, so as to compensate the respondent-husband, if he personally remains present.

[KISHORE C. SANT, J.]

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